

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DAVID MITCHELL,

Plaintiff,

vs.

COUNTY OF DOUGLAS, a Nebraska Political Subdivision; DONALD W. KLEINE, in his individual and official capacity as Douglas County Attorney; DOUGLAS COUNTY ATTORNEY'S OFFICE, GARY OLSON, Deputy Douglas County Attorney, individually and collectively in their official capacity; KATI KILCOIN, Deputy Douglas County Attorney, individually and collectively in their official capacity; DARA DELEHANT, Deputy Douglas County Attorney, individually and collectively in their official capacity; UNKNOWN MEMBERS OF DOUGLAS COUNTY SHERIFF'S OFFICE, individually and collectively in their official capacity; THE CITY OF OMAHA, a Municipal Corporation; ROBERT WILEY, in his individual and official capacity as a detective of the Omaha Police Department; JONATHAN A. ROBBISH, in his individual and official capacity as a Sergeant in the Omaha Police Department Burglary Division; TRISHA DUNWOODY, in her individual and official capacity with the Omaha Police Department Burglary Division; SHAWN PEARSON, in his individual and official capacity as a Detective with the Omaha Police Department Burglary Division;

8:23CV332

**ORDER ON PLAINTIFF'S MOTION
FOR EXTENSION OF TIME TO FILE
A RESPONSIVE PLEADING**

CHRISTOPHER LEGROW, in his official and individual capacity as a Detective with the Omaha Police Department; ALEXIS BOULTS, individually and in her official capacity as a CVSA with the Omaha Police Department; DION SMITH, individually and in his official capacity with the Omaha Police Department; THAD TROSPER, individually and in his official capacity with the Omaha Police Department; PATRICK C. MCGEE, Deputy Douglas County Attorney, individually and collectively in their official capacity; and UNKNOWN DDCA, Deputy Douglas County Attorney, individually and collectively in their official capacity;

Defendants.

On February 7, 2024, Plaintiff David Mitchell filed a pro se motion (Filing [No. 36](#)) for an extension of time to respond to the pending Motions to Dismiss. (Filing [No. 25](#) and [No. 27](#)). Mr. Mitchell is represented by attorney Michael Cannon. Mr. Mitchell represented to the Court in his motion that Mr. Cannon passed away on December 31, 2023.

The Court now grants Mr. Mitchell's Motion for Extension of Time and orders as follows:

- 1) On or before **March 7, 2024**, Mr. Mitchell shall either: (a) obtain the services of counsel and have that attorney file an appearance in this case; or (b) file a statement notifying the court of his intent to litigate this case without the assistance of counsel. The failure to do so may result in dismissal of Plaintiff's claims without further notice.
- 2) On or before **March 28, 2024**, Mr. Mitchell, or his counsel of record, shall respond to the pending Motions to Dismiss. (Filing [No. 25](#) and [No. 27](#)).

Dated this 8th day of February, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge